

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC D/B/A
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

V.

MICROSOFT CORPORATION,

Defendant.

[illegible]

CIVIL ACTION 6:20-CV-00454-ADA
CIVIL ACTION 6:20-CV-00461-ADA
CIVIL ACTION 6:20-CV-00465-ADA

PATENT CASE

JURY TRIAL DEMANDED

ORDER CONCERNING BRAZOS'S OMNIBUS MOTIONS *IN LIMINE*

Before the Court is Brazos's Omnibus Motions In Limine. The Court, having considered the same, is of the opinion the motions should be granted or denied as laid out below:

MiL No.	Description	Decision
1	References or Arguments to Motions or Arguments or in Contradiction to the Markman Orders or Other Prior Orders By This Court.	
2	References to Privileged or Protected Material, Including (a) Questions Intended to Provoke an Answer That is Privileged or Protected, Including References to Claims of Privilege; (b) the Nature of Any Fact Witness's Preparation for Trial or for Deposition Testimony with That Witness's Counsel; (c) the Nature of Any Expert Witness's Preparation for Trial or for Deposition Testimony with That Party's Counsel; or (d) References to a Client's Fee Agreements.	
3	Criticisms of the Patent Office or Its Employees.	
4	Other Patents as a Defense to Damages Due to	

	“Royalty Stacking.”	
5	References to Other Proceedings including Inter Partes Reviews.	
6	References to or Evidence Concerning Equitable Issues, Laches, Inequitable Conduct, Deceptive Intent, Fraud on the Patent Office, Misstatements about Claim Scope, Misleading the Patent Office, Misrepresentations to the Patent Office, or Withholding from the Patent Office.	
7	Relative Importance of Claim Elements.	
8	Evidence, Testimony, or Argument That the Accused Products Do Not Resemble the Examples in the Specification.	
9	Evidence, Testimony, or Argument Concerning Unanalyzed or Unelected Prior Art as Either Invalidating or Disclosing a Non-Infringing Alternative.	
10	Brazos’s Business Model and Name.	
11	Non-Infringement Arguments based on Preferred Embodiments.	
12	Prior Claims, Causes of Action, or Forms of Relief.	
13	Compensation to Brazos’s Owners, Officers, Employees, and Investors From Interest in Brazos.	
14	Microsoft’s Patents.	
15	References to Forum Shopping, Litigation Abuse, or the Western District of Texas as a Popular or Improper Venue.	
16	Argument or evidence that the damages sought are unprecedented or represent a lottery ticket or similar disparaging terms or arguments.	
17	Microsoft’s Reputation in the Industry, Innovation, or Philanthropy.	
18	References to Potential Damages as Increasing the	

	Price of Products or Leading to Job Losses.	
19	Predecessors' Non-Assertion of Patents-in-Suit against Microsoft.	
20	Value and propriety of Patents Acquired from Others.	
21	Absence of Inventors at Trial.	
22	Allegations that Individual Claim elements Were In the Prior Art.	
23	Witnesses Not Disclosed and Contained on Microsoft's Witness List.	
24	Law Firm and Lawyer Characteristics.	
25	References to How or to Whom a Damages Award May be Distributed.	

IT IS SO ORDERED this ____ day of _____, 2022.

HONORABLE ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE